



MANAGEMENT BRIEF

DATE: September 23, 2013

TO: Mayor Lee and Members of the City Council

FROM: Mike Brennan, Director 452-4113
Carol Helland, Land Use Director 452-2724
Development Services Department

SUBJECT: Light Rail Permitting Citizen Advisory Committee Appointment Process

On September 23rd, the City Council will consider a slate of candidates recommended by the Mayor to constitute the Light Rail Permitting Citizen Advisory Committee (Light Rail Permitting CAC). This memorandum provides information regarding the process followed to solicit applications for Light Rail Permitting CAC members, summarizes the member experience that was identified as desirable in the Light Rail Overlay, describes Council consideration of the applications, and identifies additional opportunities for citizens to stay engaged in the East Link Project permitting.

Process Used to Constitute the Light Rail Permitting CAC

Creation of the Light Rail Permitting CAC followed the protocol that Council uses to appoint members to City of Bellevue Boards, Commissions, Committees and Task Forces. Refer to Attachment A for a summary of the process used, and a list of media outlets that received a copy of the initial News Release. Notice of availability of seats on the Light Rail Permitting CAC was provided on June 6, and included information regarding the application process and expertise desired for CAC membership. A copy of the news release is included with this memorandum as Attachment B.

In addition to the City's regular media outlets, the news release was sent to the following groups and distribution lists: Development Services News, Latest News, and Light Rail Public Involvement, Other Department News, Transportation Commission Agendas, Transportation Commission Minutes, and Board/Commission Openings (which includes current members). In response to Council feedback, personal communications were sent to the current Board and Commission members through City staff assigned to support those groups with a request to forward the press release on to their contact lists. Also in response to Council feedback, communications were sent to the Bellevue Chamber and the Bellevue Downtown Association. In all, the application information was pushed out to over 2,000 individuals who have shown an interest in City issues generally and light rail specifically.

The deadline for submitting applications in response to the notice was originally set for June 21, 2013. This date was subsequently extended to June 30th at the request of

Councilmembers to help ensure that notification of the application period was thorough and applicant response was high. A copy of the news release extending the period for acceptance of applications is included with this memorandum as Attachment C. Pursuant to the Council protocol, applications received through Friday June 21, were compiled in a booklet and distributed to Council on June 24, 2013. Applications received through the extended deadline were compiled in a booklet and distributed to Council in early July. A total of 60 applicants applied for Council consideration and appointment to the CAC.

Desired CAC Member Expertise

The Light Rail Overlay District was adopted in February to govern permitting of Sound Transit's East Link project. One unique aspect of the permitting is the requirement to create a CAC "to represent community, neighborhood and citywide interests in the permit review process." The CAC is required to include not less than 7 or more than 9 members who are Bellevue residents.

The Light Rail Overlay described the member experience that is desired and prohibited conflicts for the Light Rail Permitting CAC as follows:

1. Represents a breadth of professional experience that includes urban planners, artists, architects, landscape architects, engineers and builders with large project experience; and
2. Is comprised solely of Bellevue residents, including, but not limited to: transit riders and property and business owners with holdings or interests in the vicinity of, but not immediately abutting, the RLRT Facility or System; and
3. Has no members with a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, with the Regional Transit Authority, its contractors, subcontractors, agents or employees, and has no members that have been employed by or been affiliated with the Regional Transit Authority in any capacity. *LUC 20.25M.035.B*

The identified purpose of the CAC in the Light Rail Overlay is to:

1. Dedicate the time necessary to represent community, neighborhood and citywide interests in the permit review process for Light Rail;
2. Ensure that issues of importance are surfaced early in the permit review process while there is still time to address design issues while minimizing cost implications;
3. Consider the communities and land uses through which the RLRT System or Facility passes, and set "the context" for the regional transit authority to respond to as facility design progresses;
4. Help guide the Regional Light Rail Transit System and Facility design to ensure that neighborhood objectives are considered and design is context sensitive by engaging in on-going dialogue with Sound Transit and the City, and by monitoring follow-through;

5. Provide a venue for receipt of public comment on the proposed Regional Light Rail Transit Facilities and their consistency with the policy and regulatory guidance of the Light Rail Overlay;
6. Build the public's sense of ownership in the project; and,
7. Ensure CAC participation is streamlined and effectively integrated into the permit review process to avoid delays in project delivery. *LUC 20.25M.035.A*

Council Consideration of the Applications

The Mayor takes the lead in developing a slate of candidates for CAC appointments by the full Council. Recommendations were solicited by the Mayor from the Council members, and a slate of candidates was presented to the full Council for appointment to the Light Rail Permitting CAC on August 5, 2013. A copy of the original slate is provided as Attachment D.

As part of the final step to constitute the CAC, each of the selected members was asked by staff to confirm member experience and identify potential conflicts that are prohibited under the terms of Light Rail Overlay section LUC 20.25M.035.B (text provided above). Candidate materials indicated that one of the appointed members had a prohibited conflict resulting from the ownership of property immediately abutting the selected East Link alignment. In addition, questions from the public regarding employment history of some applicants raised concerns that other appointees could have past relationships with Sound Transit that are identified as impermissible under the terms of the code.

As a result of the concerns regarding impermissible conflicts, Council voted to reconsider the slate of previously-approved candidates on September 3rd. In addition, Council also expressed a clear expectation that any new slate of potential appointees needs to provide for geographic representation from the communities most impacted by construction of the light rail alignment in addition to general city-wide representation. Staff was subsequently directed to more fully explore potential conflicts of the applicants to ensure that any new slate would be conflict-free.

The Light Rail Overlay describes three situations that would disqualify a person from membership on the CAC:

1. Ownership of a property interest immediately abutting the alignment;
2. The person (or a member of their immediate family) has a current, direct or indirect relationship with Sound Transit through employment with the agency, or employment or other financial relationship with a contractor/consultant/vendor or subcontractor/consultant/vendor to Sound Transit; or
3. The person has a direct affiliation with Sound Transit, for example, as a past employee, or as a volunteer or appointee to a Sound Transit committee.

It is important to note that there is a distinction between the two provisions regarding current and past relationships with Sound Transit. A person would be disqualified for a broader and less direct range of associations with Sound Transit if those connections exist now, while the person was serving on the CAC. The code language, summarized in the second bullet above, would cover a direct or indirect relationship to not only

Sound Transit, but also any of its consultants or vendors. In contrast, the criterion about a past relationship is limited to direct employment or other status (volunteer/appointee) with the agency itself.

This distinction between current and past relationships has led to some confusion about member qualifications. As a result, a questionnaire was developed for asking each candidate under consideration to confirm that they had no disqualifying factors. A copy of the Light Rail Permitting CAC Member Experience Questionnaire used by staff to complete the conflict check is included as Attachment E. Each of the candidates under consideration for appointment to the Light Rail Permitting CAC has responded to the questionnaire and confirmed that they meet the requirements in the code.

On September 23rd, the Mayor will present a slate of applicants for appointment to the Light Rail Permitting CAC. Once the final slate has been confirmed by the City Council, the CAC will be formally introduced to the scope of its charge. The CAC will then be oriented to the East Link project so that they are prepared to begin their work when permits from Sound Transit are submitted in the fall.

Opportunities for Interested Parties to Stay Engaged in the East Link Permitting

Creation of the Light Rail Permitting CAC is one way that the Council used to ensure that community, neighborhood and citywide interests would be represented in the permit review process for the East Link project. Citizens can stay involved by attending CAC meetings and voicing their concerns about the permit during public comment at those meetings. The CAC will also hold Open Houses for citizens to attend at major permit review benchmarks.

In addition to the Light Rail Permitting CAC, a CAC will be constituted to undertake planning for areas around identified stations. Creation of these "Station Area Planning CACs" is anticipated to start in the fall.

Traditional public participation available for any discretionary permit process in Bellevue also will continue to be offered for the Design and Mitigation Permit that is required for the East Link project. Applications will be noticed through the Weekly Permit Bulletin, and public comments will be accepted and addressed before the final decision is issued by the Development Services Department. Interested parties can subscribe to the Weekly Permit Bulletin at the following link to stay informed regarding all discretionary permits in review by the City. http://www.bellevuewa.gov/weekly_permit_bulletin.htm

We hope this information is useful. Please feel free to contact us if you have any questions or comments regarding the process followed or CAC desired qualifications.

Attachments:

- A. Citizen Advisory Committee Appointment Process
- B. News release noticing Light Rail Permitting CAC application period
- C. News release extending Light Rail Permitting CAC application period
- D. Original Slate of CAC Members
- E. Light Rail Permitting CAC Member Experience Questionnaire

Light Rail Overlay Citizen Advisory Commission

Process

C. Board and Commission membership. The following Rules will apply for filling vacancies occurring on Council-appointed Boards and Commissions at normal term-endings or through resignation or other vacancy.

1. The City Clerk's Office will provide public notice of the application opportunity and collect submitted applications.
2. Applications for each Board/Commission are compiled into a booklet which is sent to all Councilmembers for review and discussion. The Liaisons for particular Boards and Commissions entertain feedback from the remainder of the Council about which applicants to interview.
2. The Council Liaison for each Board/Commission leads the interview team for that group's selection process. Other Councilmembers and the Chair of the Board/Commission are invited to participate. The Council Liaison may also invite the Department Director and/or key support staff to participate.

Note: should a quorum of Councilmembers wish to participate in interviews, the interviews will be noticed as a public meeting.

3. Following the interviews, the Liaison provides his/her recommendation(s) to the City Clerk, who schedules the item for Council approval on the next convenient Council meeting agenda.
4. At the Council meeting, the Liaison makes the Motion to appoint his/her recommended applicants. Upon affirmative Council vote, the new member is appointed.
5. The City Clerk notifies each applicant by mail of the decision of the Council. The City Clerk will also notify the Chair of the affected board or commission of the Council's decision.

Members:

AAT TV (Asian Television)
Alan Lai
Associated Press
Association of Washington Cities
Bellevue Patch (Venice Buhain)
Bellevue Reporter (Celina Kareiva)
Bellevue Reporter (Craig Groshart)
Berg, Tresa
Bobbi Pochman
Christensen, Emily
Claude Iosso
David Grant
Downtown Bellevue Network (Michael Brandt)

El Mundo (Martha Montoya)
Epoch Times Northwest
Hildonen, Erikka
Hollerbach, Victoria
Iafrate, Carla
Issaquah Press
KCPQ 13 TV (Q13)
KCTS-9 (Enrique Cerna)
Kemper Development Corp
Kimberly Nuber
KING 5 TV
KING 5 TV (Cynthia Wise)
KING 5 TV (Linda Byron)
KING 5 Web
King County Executive (De'Sean Quinn)

KIRO (Bob Larson)
KIRO 7 TV
KIRO 7 TV In Color (Deborah Horne)
KIRO 97.3 Radio
KIRO 97.3 RADIO (Tom Tangney)
KOMO 4 TV
KOMO Bellevue Blog
Komo News Bellevue
KOMO TV (Spanish)
Luke Meyers
Mercer Island Reporter (Editor Mary Grady)

Monique Ming Laven
Northwest Asian Weekly (Charles Lam)
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CITY OF Bellevue

News Release

FOR IMMEDIATE RELEASE: Thursday, June 06, 2013

Seeking residents for new light rail advisory group

The City Council is seeking candidates to serve on a citizen advisory committee for the light rail permitting process. The purpose of the CAC will be to take public comments and provide guidance to decision makers as part of the city's permit review and approval process for the East Link light rail project.

Formation of the Light Rail Permitting CAC is a result of the council's recent adoption of codes governing light rail permitting in Bellevue. Sound Transit, which will build and operate East Link, will begin to apply for design and mitigation permits soon. The council identified a CAC as necessary to represent community, neighborhood and citywide interests during the permit review process.

If you are interested, please apply. **The deadline for applications is Friday, June 21.**

If you don't wish to apply online, community service application forms are available at Apply for Vacancies or may be picked up from the City Clerk's Office or the Service First desk at City Hall, the Bellevue Regional Library, the Lake Hills Library or Mini City Hall at Crossroads Bellevue. Applicants may also request a form be faxed by calling 425-452-6466.

Once filled out, applications may be submitted by one of the following methods

- Hand delivered: Second floor at City Hall, 450 110th Ave. NE
- Mailed: P.O. Box 90012, Bellevue, Washington, 98009-9012
- Fax: 425-452-5247
- Email: mmurphy@bellevuewa.gov

Seven to nine members will be selected representing a breadth of professional experience as urban planners, artists, architects, landscape architects, engineers and builders with large project experience.

The members will serve for the duration of the permit review process, which is anticipated to last approximately two to four years. The CAC will likely meet twice monthly during the early months of its formation, monthly for the first year and as needed to monitor follow-through after design and mitigation permits are issued.

Early participation will include becoming familiar with the project, articulating the urban and historic context through which the light rail route passes and providing early and ongoing advice to Sound Transit on how to incorporate context-sensitive design and mitigation into the light rail project.

All adults who reside within the corporate limits of the city can apply. Residents who are transit riders and property owners in the vicinity of the light rail alignments, but not immediately abutting it, are particularly encouraged. The City of Bellevue values diversity.

For additional information about the roles and responsibilities of the Light Rail Permitting CAC, please call Carol Helland at 425-452-2724.

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Contact Information

Development Services

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E-mail:

chelland@bellevuewa.gov



Customer Assistance

CITY OF Bellevue

News Release

FOR IMMEDIATE RELEASE: Wednesday, June 26, 2013

Deadline extended for light rail advisory group applications

Openings on Library and Environmental Services boards too

The deadline for residents to apply for a spot on a citizen advisory committee for the light rail permitting process has been extended to Sunday.

The City Council will appoint seven to nine people to the committee, which will take public comments and provide guidance to decision makers as part of the city's permit review and approval process for East Link.

Residents can also apply for seats on two other council-appointed bodies, the Bellevue Regional Library Board and Environmental Services Commission. The Library Board serves as an advisory body to the King County Library System; the ESC advises the City Council on water, wastewater, storm and surface water and garbage programs.

There is a vacancy on each of those boards. The deadline for applications for the Library Board and ESC is 4 p.m., Friday, July 19. Applications for the light rail committee must come in by 11:59 p.m., Sunday, June 30. Application for these committees

If you do not wish to use the online application, other means and details about the process are available at [Apply for Vacancies](#).

Light Rail CAC Background

Formation of the Light Rail Permitting CAC is a result of the council's recent adoption of codes governing light rail permitting in Bellevue. Sound Transit, which will build and operate East Link, will begin to apply for design and mitigation permits soon. The council identified a CAC as necessary to represent community, neighborhood and citywide interests during the permit review process.

Seven to nine members will be selected representing a breadth of professional experience as urban planners, artists, architects, landscape architects, engineers and builders with large project experience. Residents who are transit riders and property owners in the vicinity of the light rail alignments, but not immediately abutting it, are particularly encouraged.

The members will serve for the duration of the permit review process, which is anticipated to last approximately two to four years. The CAC will likely meet twice monthly during the early months of its formation, monthly for the first year and as needed to monitor follow-through after design and mitigation permits are issued.

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Contact Information

City Clerk's Office
450 110th Ave. NE
P.O. Box 90012
Bellevue, WA 98009-9012

Phone: 425-452-6466

Fax: 425-452-2734

E-mail:
mmurphy@bellevuewa.gov



Customer Assistance

City of
Bellevue



MEMORANDUM

DATE: August 5, 2013
 TO: Deputy Mayor Robertson and City Councilmembers
 FROM: Mayor Conrad Lee
 SUBJECT: Light Rail Permitting Citizen Advisory Committee

On February 25, 2013, by Ordinance No. 6101, Council approved the creation of a Light Rail Permitting Citizen Advisory Committee, to be composed of at least seven but not more than nine members, to provide advice to the Director of the Development Services Department (the permitting authority) on design and mitigation permits related to East Link.

Based on nominations received from Councilmembers, I recommend the appointment of the following individuals to the Light Rail Permitting Citizen Advisory Committee:

Member Experience	Recommendation
Urban Planner	Erin Derrington
Artist	Clay Wallace
Engineer	Richard Line Don Miles Ming-Fang Chang Susan Rakow Anderson
Property/Business Owner	Marcelle Lynde Joel Glass Doug Mathews

Suggested motion language:

I move to approve the slate of applicants recommended by Mayor Lee to serve as the Light Rail Permitting Citizen Advisory Committee.

Light Rail Permitting Citizen Advisory Committee Member Experience Questionnaire

CAC Member Name (*please print*): _____

<i>Please answer the following questions to the best of your ability by checking the appropriate box. If you have questions regarding how to respond, please contact Kate Berens, Deputy City Attorney at 425-452-4616 or at mkberens@bellevuewa.gov.</i>	Yes	No
1. Do you reside <u>outside</u> of the Bellevue city limits?		
2. Do you own property immediately abutting the selected East Link alignment? <i>Refer to the zoning map provided with the attached documents.</i>		
3. Do you or an immediate family member have any financial interest in Sound Transit? <i>Financial interest in this case would be shown if you or an immediate family member are currently employed by Sound Transit or a contractor, subcontractor or agent of Sound Transit OR if you or an immediate family member work for a company that is a contractor or subcontractor or agent of Sound Transit.</i>		
4. Have you at any time in the past been employed by Sound Transit?		
5. Have you at any time in the past been affiliated with Sound Transit by serving on the Sound Transit board on in any other volunteer capacity?		

Answering "no" to all of the above questions affirms that you are free of impermissible conflicts under the terms of the Light Rail Overlay code.

CAC Member Signature: _____

When you have completed this form, please sign and return to the City of Bellevue by August 30th.

Via email: mjackson@bellevuewa.gov
 Via USPS: Matthews Jackson
 City of Bellevue
 Development Services Department
 P.O. Box 90012
 Bellevue, WA 98009-9012